



State of Wisconsin
1997 - 1998 LEGISLATURE

LRBs0595/1
MGG;jlg:hmh

**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 1997 ASSEMBLY BILL 732**

March 17, 1998 - Offered by Representative GRONEMUS.

1 **AN ACT to amend** 29.40 (title), 29.40 (2m) (title) and (a), 29.40 (2m) (b), 29.48 (1)
2 (a) 1., 29.578 (8), 29.578 (14) (b) 3., 895.51 (3) and 895.517 (4); and **to create**
3 29.40 (2m) (c), 29.40 (2m) (e) and (f) and 895.51 (2m) of the statutes; **relating**
4 **to:** the distribution of meat from deer carcasses.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

5 **SECTION 1.** 29.40 (title) of the statutes is amended to read:

6 **29.40** (title) **Possession and processing of deer; head and skins and**
7 **carcasses.**

8 **SECTION 2.** 29.40 (2m) (title) and (a) of the statutes are amended to read:

9 29.40 **(2m)** (title) ~~REMOVAL AND RETENTION OF TAGS~~ BUTCHERING AND PROCESSING.

10 (a) A deer carcass tag attached under sub. (2) and a registration tag attached by the
11 department or a car kill tag attached under sub. (5) may be removed from a gutted

1 carcass at the time of butchering, but the person who killed or obtained the deer shall
2 retain all tags until the meat is consumed except as provided under pars. (d).

3 **SECTION 3.** 29.40 (2m) (b) of the statutes is amended to read:

4 29.40 (2m) (b) Any person who ~~retains a tag under par. (a)~~ possesses deer meat
5 from a deer the person has killed or has obtained under sub. (5) may give the deer
6 meat away to another person.

7 (d) The Any person who sells or gives away the deer meat under par. (b) or (c)
8 is not required to retain any tag after the meat is transferred and the person who
9 receives the ~~gift of~~ deer meat is not required to possess a tag.

10 **SECTION 4.** 29.40 (2m) (c) of the statutes is created to read:

11 29.40 (2m) (c) Any person who butchers or processes a deer carcass for another
12 person who left the carcass for butchering or processing may do any of the following
13 if the person who left the carcass fails to claim the deer meat within 21 days after
14 being notified by 1st class mail that the deer meat is ready:

- 15 1. Give the deer meat away to another person.
- 16 2. Sell the deer meat to another person for an amount that is not more than the
17 total cost of butchering, processing and storing the deer meat.

18 **SECTION 5.** 29.40 (2m) (e) and (f) of the statutes are created to read:

19 29.40 (2m) (e) Any person who butchers or processes a deer carcass under par.
20 (c) shall keep a written record of all the following for each person who is notified
21 under par. (c) that the deer meat is ready:

- 22 1. The date on which the notification is postmarked.
- 23 2. The name and address to whom the notification is mailed.
- 24 3. Whether the deer meat was claimed, sold or given away.

1 (f) Any person required to keep a record under par. (e) shall keep the record for
2 6 months after the date on which the notification is mailed.

3 **SECTION 6.** 29.48 (1) (a) 1. of the statutes is amended to read:

4 29.48 (1) (a) 1. Deer, bear, squirrel, game bird, game fish or the carcass thereof
5 at any time except as provided in s. 29.40 (2m) (c).

6 **SECTION 7.** 29.578 (8) of the statutes is amended to read:

7 29.578 (8) After a deer is so killed and tagged the entire carcass only shall be
8 sold and transported, except as provided in sub. (14). The tag must remain on the
9 carcass while in transit. A deer farm tag may be removed from a gutted carcass at
10 the time of butchering, but the person who killed or obtained the deer shall retain
11 the tag until the meat is consumed unless s. 29.40 (2m) (d) applies.

12 **SECTION 8.** 29.578 (14) (b) 3. of the statutes is amended to read:

13 29.578 (14) (b) 3. It shall contain the name and address of the applicant
14 together with the name and address of the premises where the venison will be
15 retained and served, together with the source of the venison, the sex, approximate
16 weight and deer farm tag numbers of the carcass. The deer farm tag may be removed
17 from a gutted carcass at the time of butchering, but the person who killed or obtained
18 the deer shall retain the tag until the venison is consumed unless s. 29.40 (2m) (d)
19 applies.

20 **SECTION 9.** 895.51 (2m) of the statutes is created to read:

21 895.51 (2m) Any person who butchers or processes a deer carcass and who sells
22 or gives away the deer meat under s. 29.40 (2m) (c) is immune from civil liability for
23 the death of or injury to an individual caused by the qualified food donated or sold
24 by the person.

25 **SECTION 10.** 895.51 (3) of the statutes is amended to read:

